



**Charles County
Transfer of Development Rights
(TDR)
Charles County Commissioners**

September 10, 2013

The purpose of this presentation is to provide an overview and history of the program, and report on current activities related to TDRs



What is Transfer of Development Rights ?

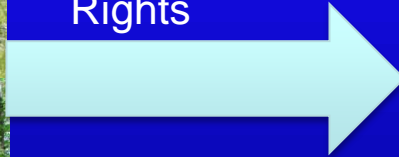
- Government created market allowing the sale of certain property rights (development rights) from rural areas to designated growth areas.
- Requires both a sending area to preserve and transfer development rights from; and a receiving area to allow for increased development density.
- Charles County's Program – focus to preserve farm and forest land with productive soils.



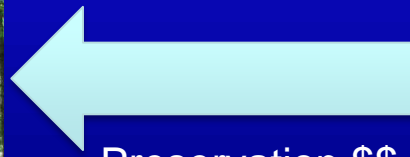
The TDR in Concept



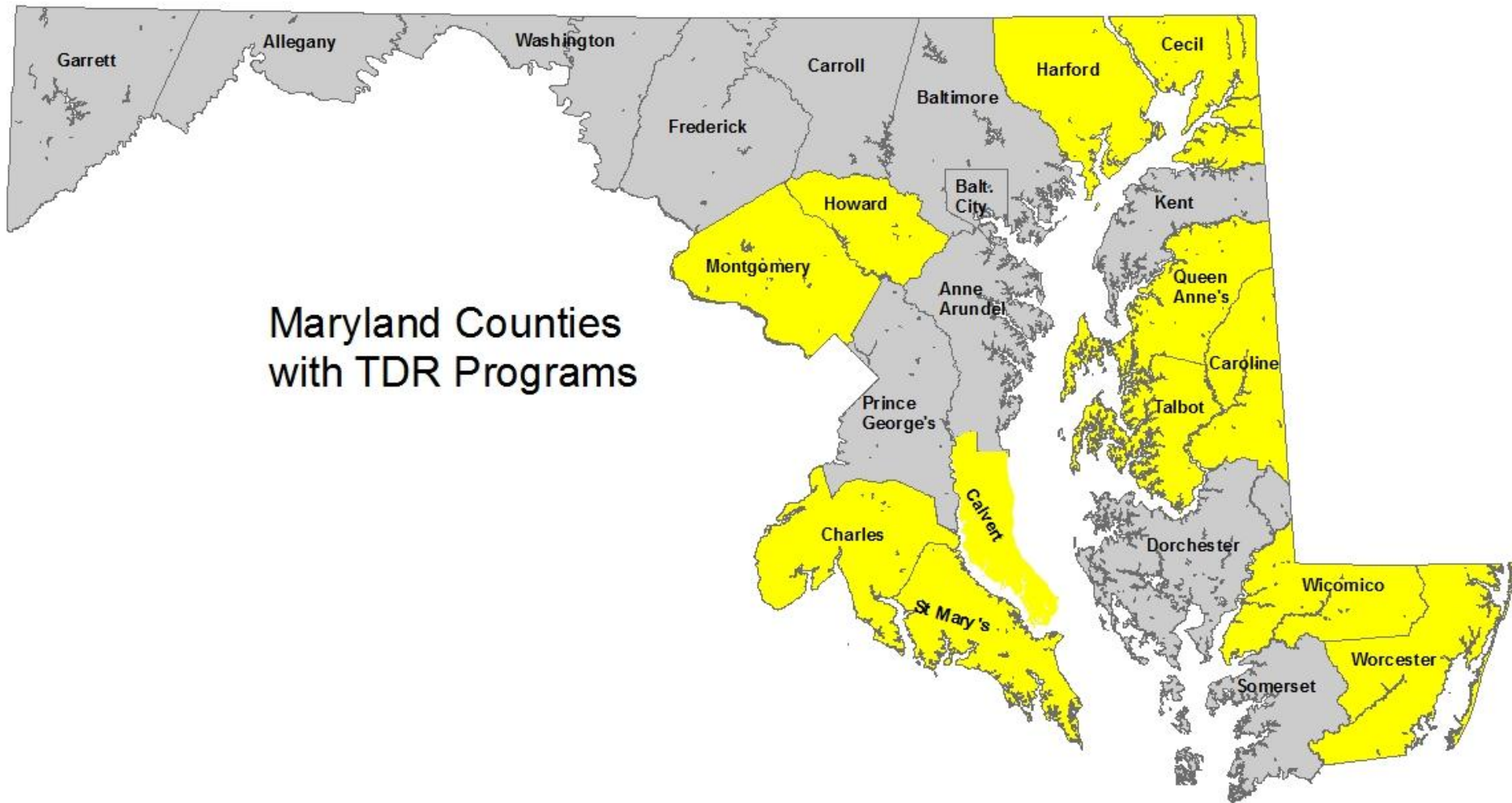
Development
Rights



Preservation \$\$



Maryland Counties with TDR Programs



Charles County's TDR Program History

1991 TDR Study

- Support Maryland Agricultural Land Preservation Foundation (MALPF) Districts as TDR sending areas
- TDRs more effective with lower densities in rural areas

1992 County Zoning Ordinance

- Included a new TDR program to protect farmland
- TDRs limited to Agricultural Preservation District properties as sending areas
- Receiving areas limited to the Development District

1997 County Comprehensive Plan

- Encouraged the use of TDRs
- Called for the creation of a Rural Commission to develop an implementation strategy
- Rural Commission to study TDR program, make recommendations

2002 Rural Commission Appointed

- Fourteen (14) members, appointed by County Commissioners
- One charge was to provide recommendations for improving TDR program

2004 Rural Commission Report & Recommendations

- Downzoning to 1:20 in western portion of the County
- Keep TDR transfer density at 1:3
- Allow Townhouses by right in RH zone, with use of TDRs
- Establish a TDR Bank
- Recommend TDR sending parcels to be permanently preserved
- Re-zone the development district to reduce the by-right densities

2005 Land Preservation Parks and Recreation Plan (LPPRP), included TDR Assessment Report

- Expand the sending pool areas and incentives
- Revisit the zoning, density issue
- Expand participation, marketing, outreach
- Examine receiving zone enhancements
- Consider commercial TDRs
- Broaden preservation tools, PDR program

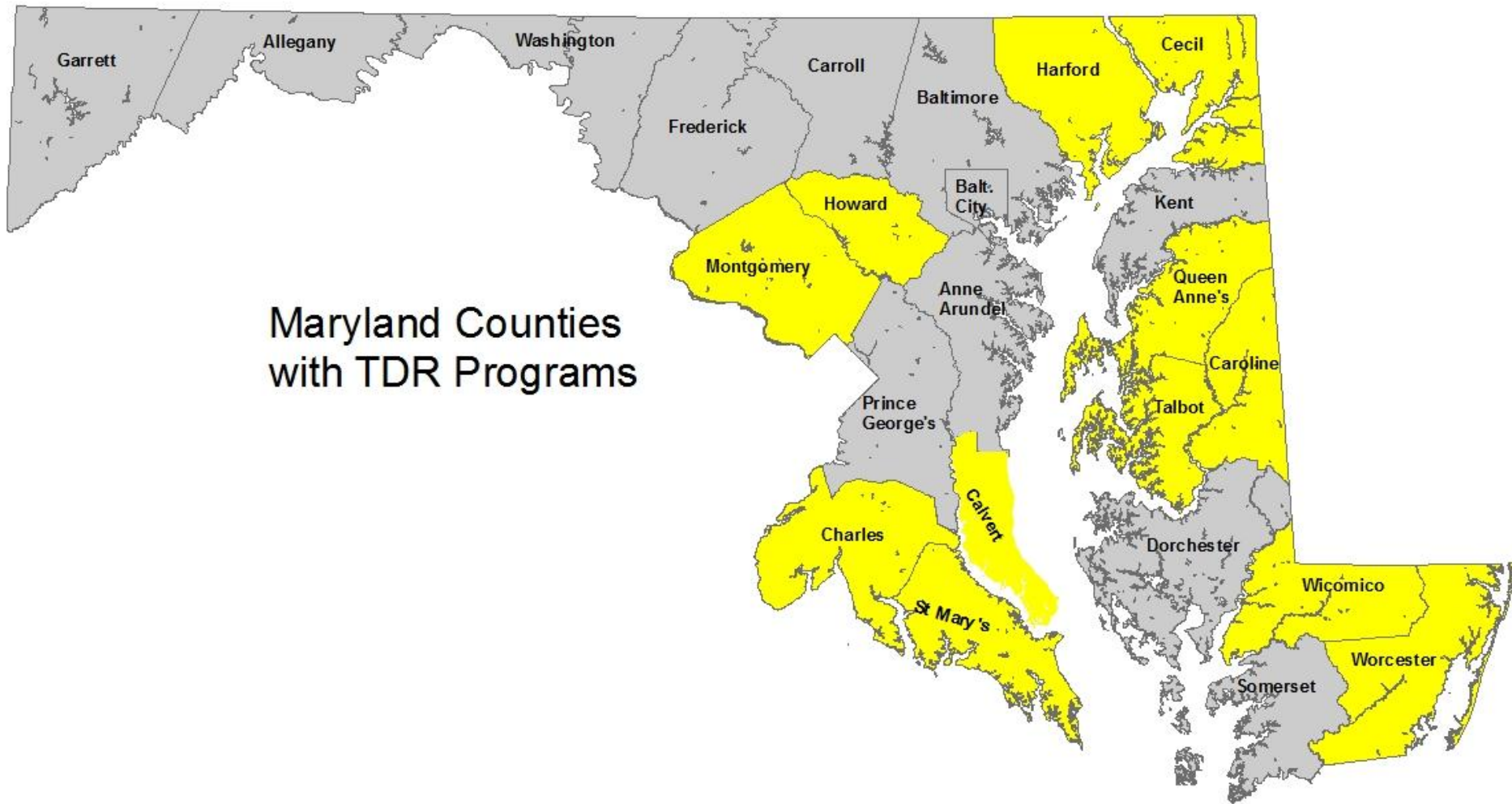
2006 Comprehensive Plan

- Emphasizes the importance of agricultural and natural resource protection
- Referenced the 2005 Land Preservation Parks and Recreation Plan Assessment (LPPRP) Report
- Did not make any new recommendations

2010 TDR Program History and Assessment

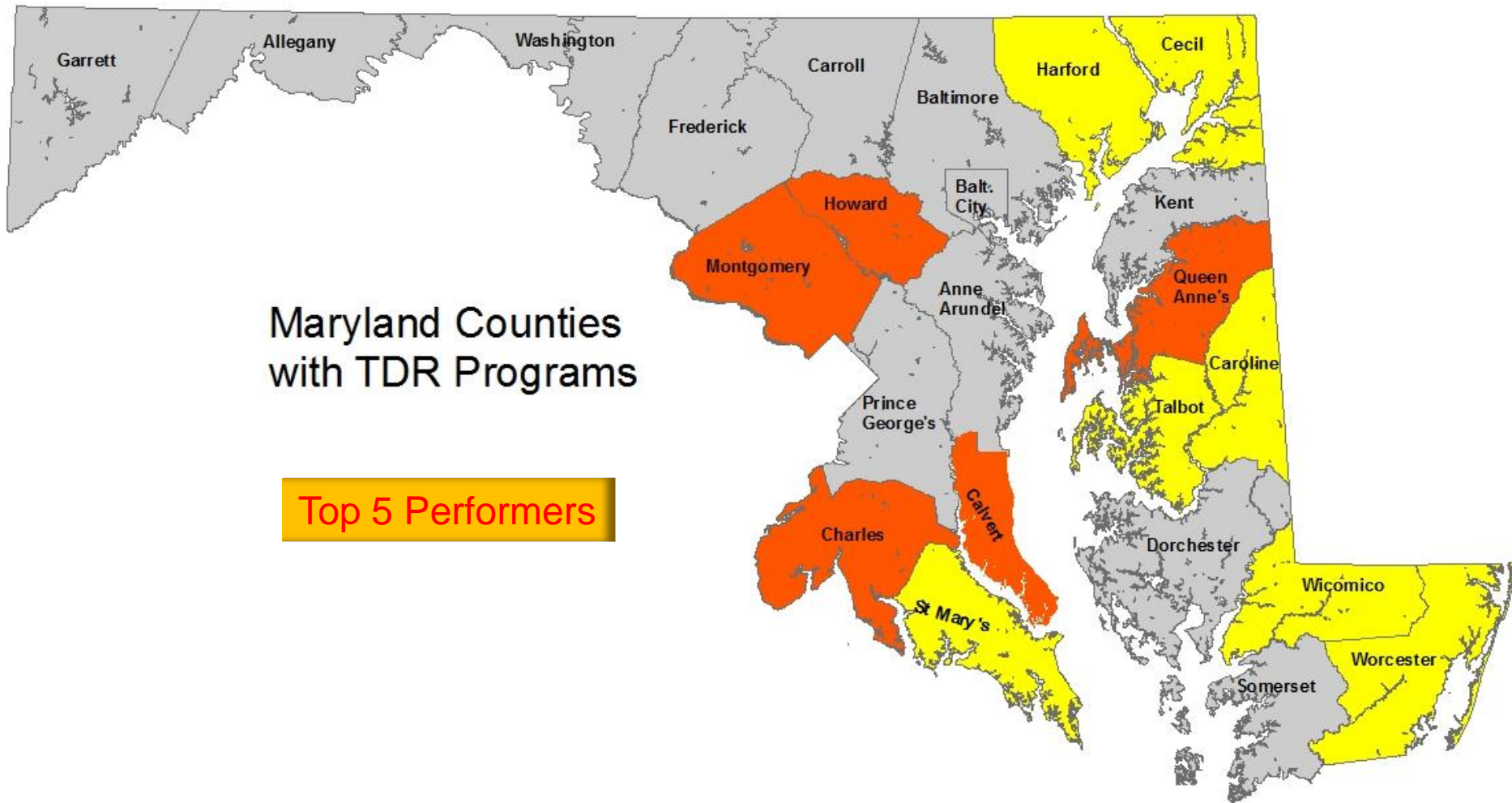
- The Charles County Transfer of Development Rights (TDR) Program, History and Assessment was prepared by Planning Staff (2010) and made the following recommendations:
 - Revisit use of commercial TDRs
 - Reduce size of the Deferred Development District and increase density only with TDRs (Pilot Area)
 - Require more TDRs in the Development District, Bryans Road and Rural Villages
 - Create a County Purchase of Development Rights (PDR) Program
- Presented to Commissioners in October 2010 (No action)
- 2012 Comprehensive Plan Update Process Began

Maryland Counties with TDR Programs

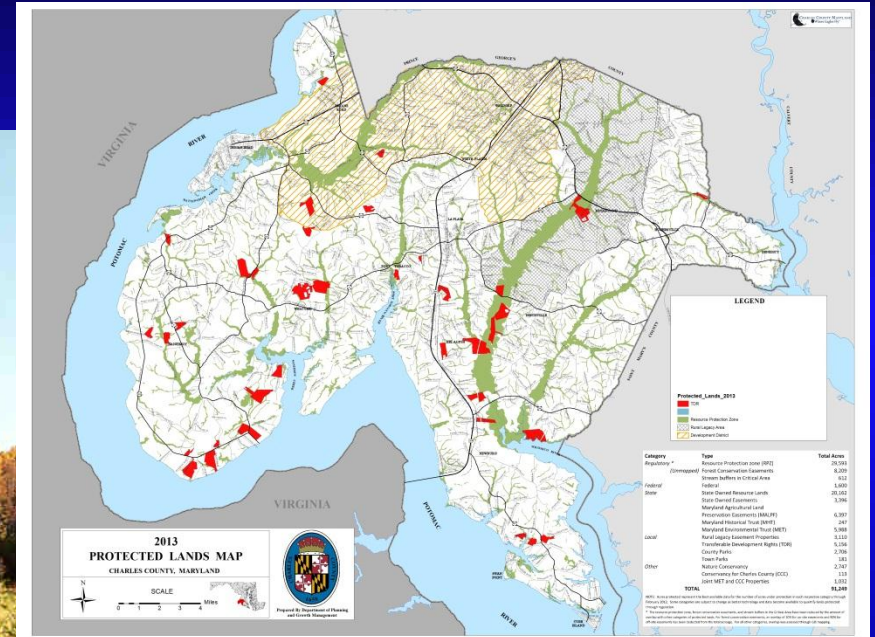


Maryland Counties with TDR Programs

Top 5 Performers



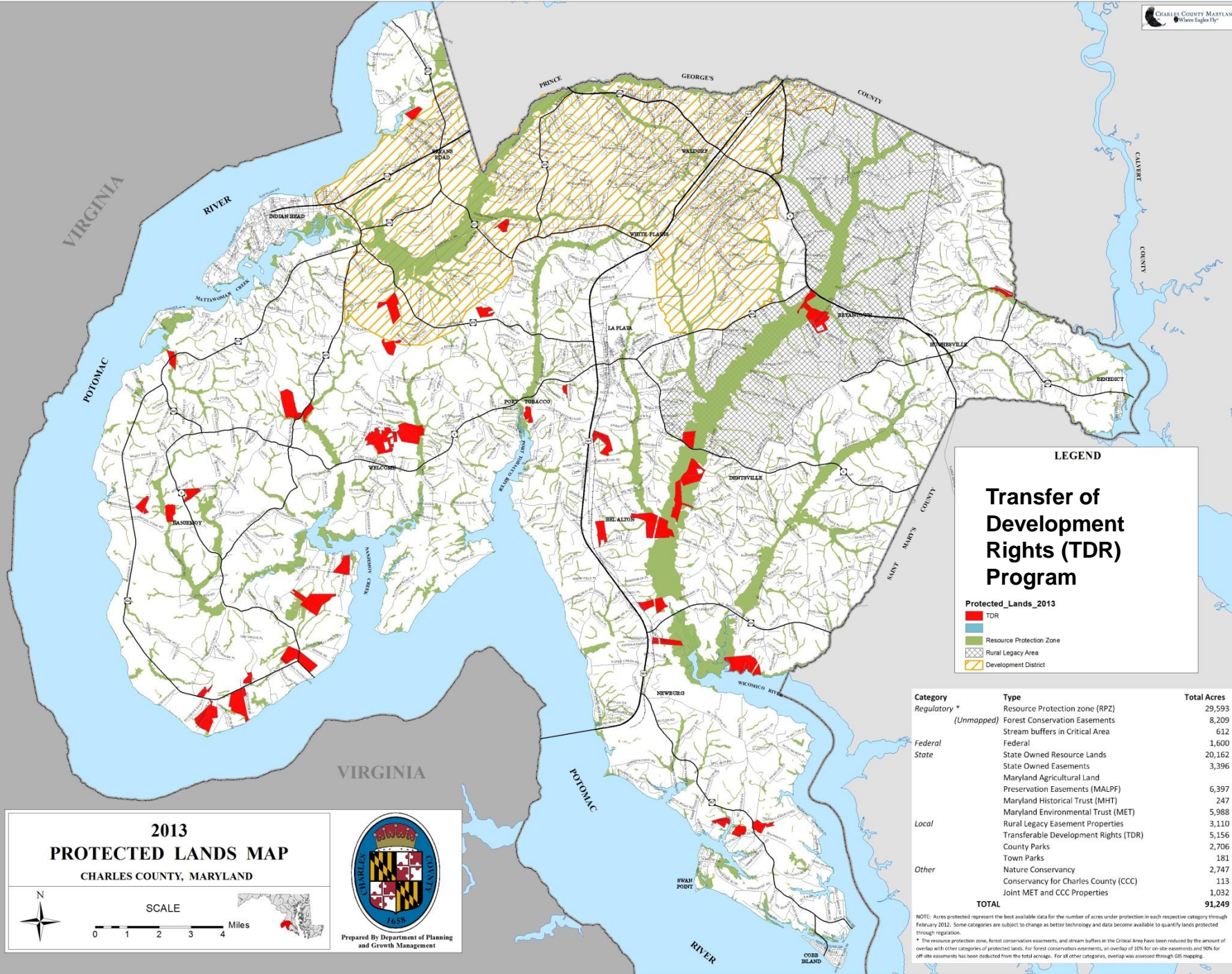
TDR Sending Areas 1992-2012



TDR

42 Properties

5,156 acres



Transfer of Development Rights (TDR) Program

Protected_Lands_2013

- TDR
- Resource Protection Zone
- Rural Legacy Area
- Development District

Category	Type	Total Acres
Regulatory *	Resource Protection zone (RPZ)	29,593
	Forest Conservation Easements	8,209
	Stream buffers in Critical Area	612
	Federal	1,600
State	State Owned Resource Lands	20,162
	State Owned Easements	3,396
	Maryland Agricultural Land Preservation Easements (MALPF)	6,397
	Maryland Historical Trust (MHT)	247
Local	Maryland Environmental Trust (MET)	5,988
	Rural Legacy Easement Properties	3,110
	Transferable Development Rights (TDR)	5,156
	County Parks	2,706
Other	Town Parks	181
	Nature Conservancy	2,747
	Conservancy for Charles County (CCC)	113
	Joint MET and CCC Properties	1,032
TOTAL		91,249

NOTE: Acres protected represent the best available data for the number of acres under protection in each respective category through February 2012. Some categories are subject to change as better technology and data become available to quantify lands protected through regulation.

* The resource protection zone, forest conservation easements, and stream buffers in the Critical Area have been reduced by the amount of overlap with other categories of protected lands. For forest conservation easements, an overlap of 10% for on-site easements and 90% for off-site easements has been deducted from the total acreage. For all other categories, overlap was assessed through GIS mapping.

2013 PROTECTED LANDS MAP CHARLES COUNTY, MARYLAND

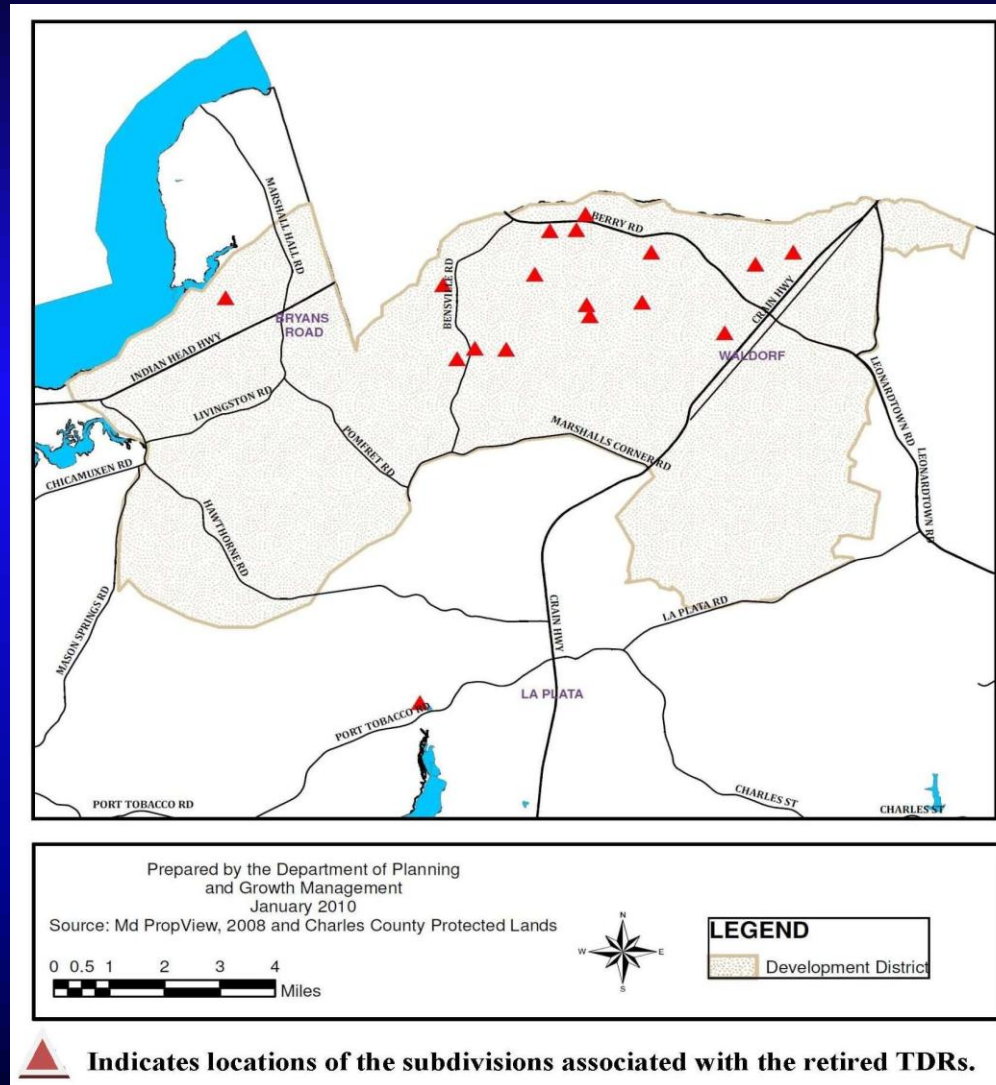


SCALE
0 1 2 3 4 Miles

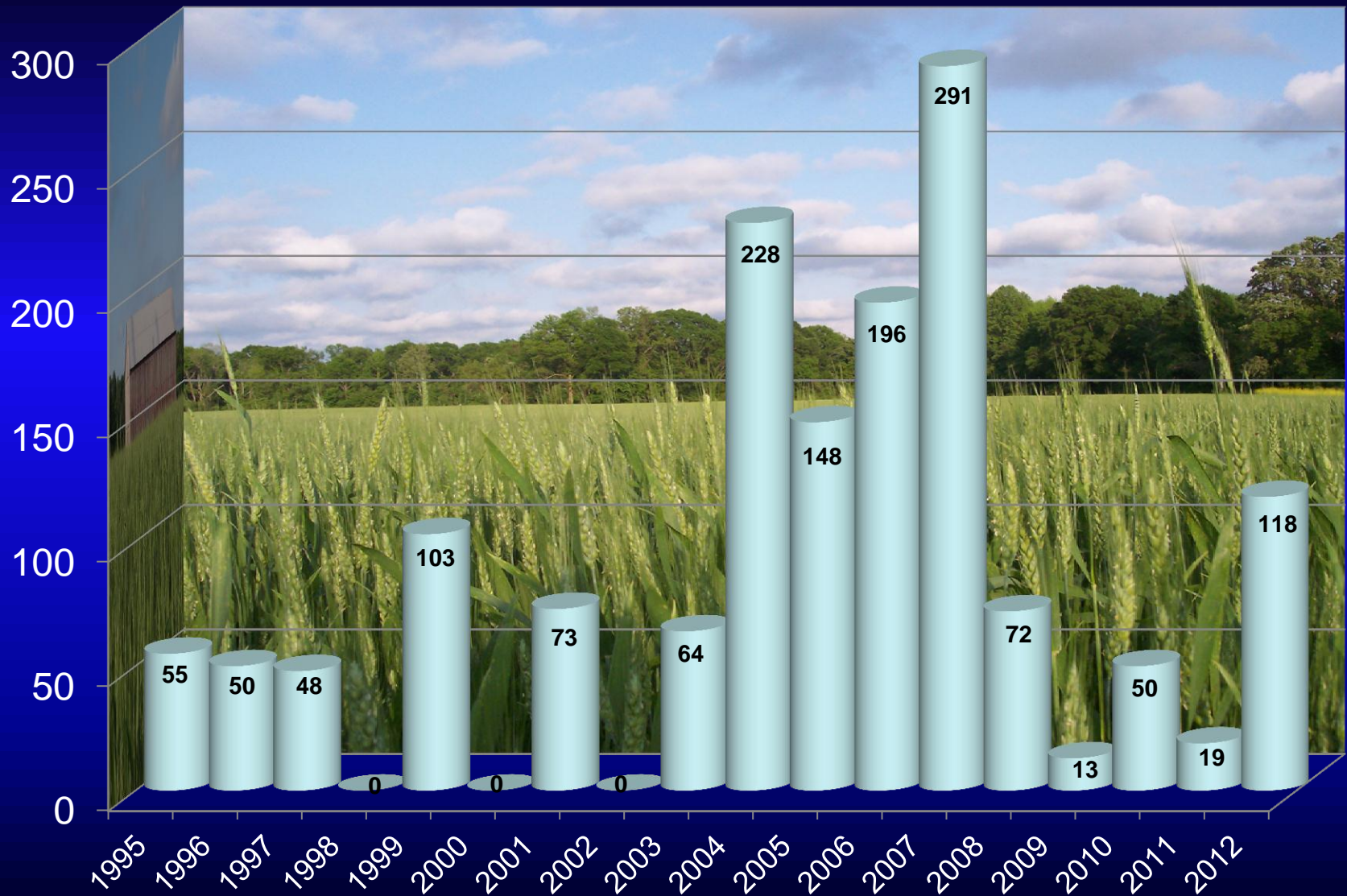


Prepared By Department of Planning
and Growth Management

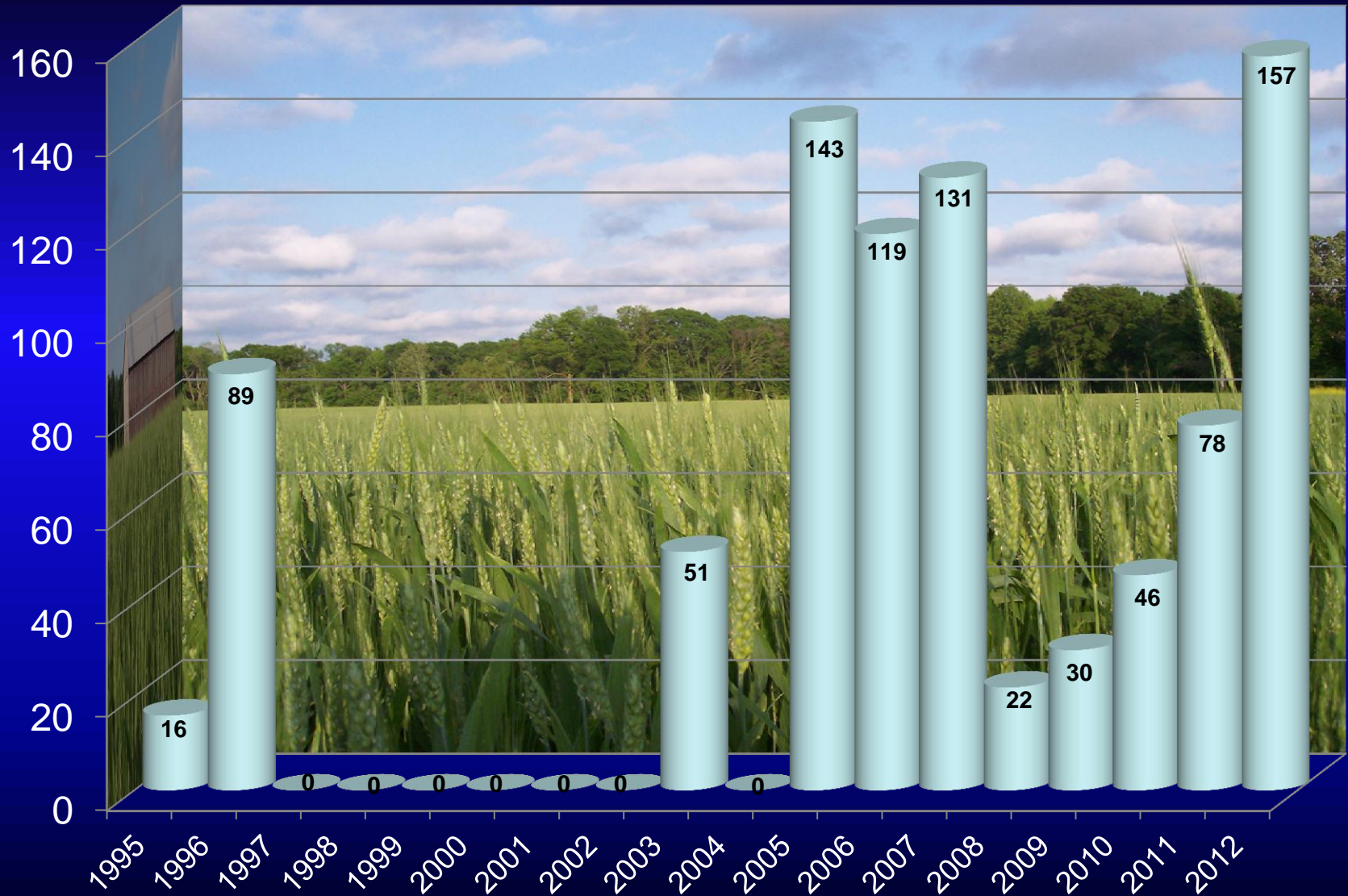
TDR Receiving Areas



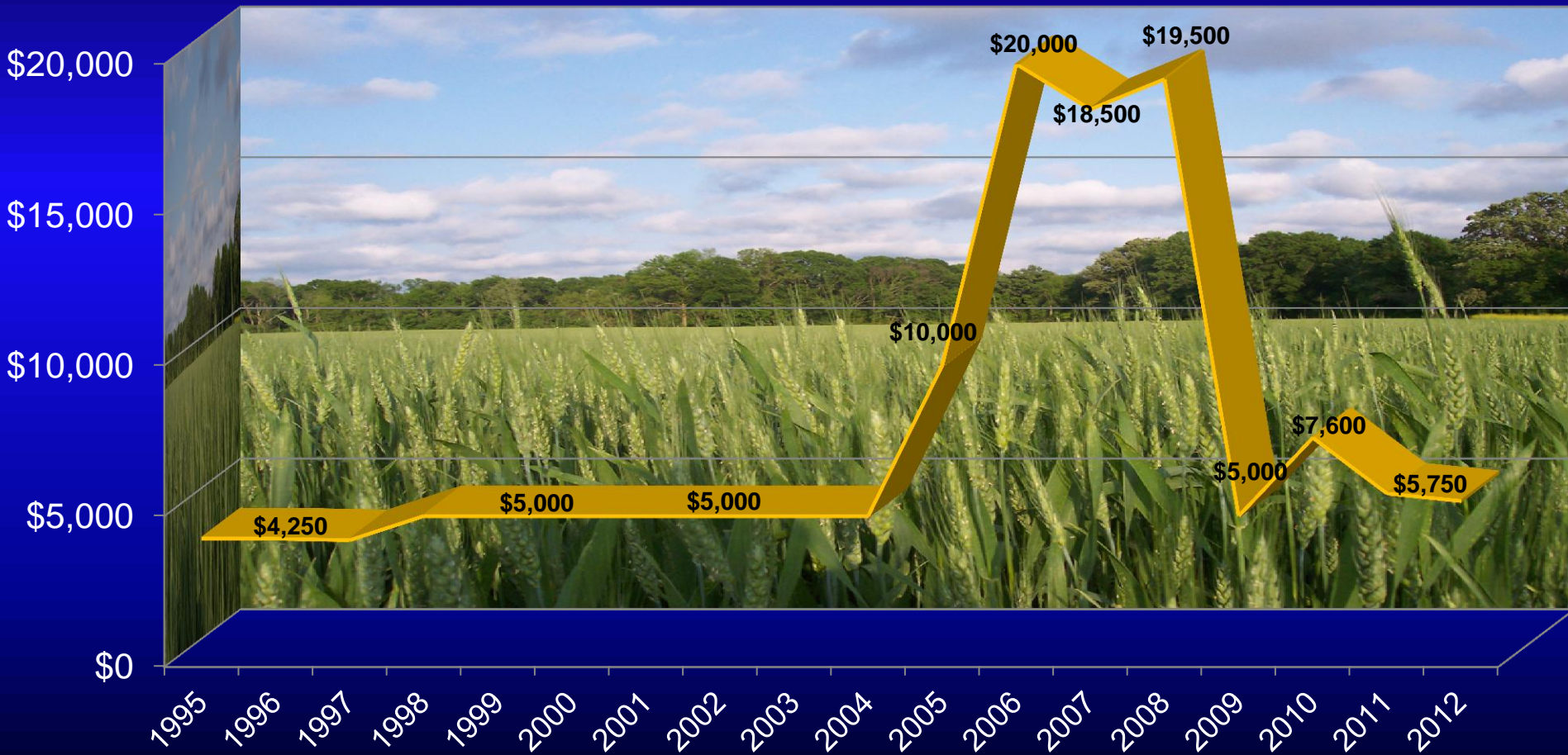
TDR Transfers Per Year



TDR Retired to Projects Per Year

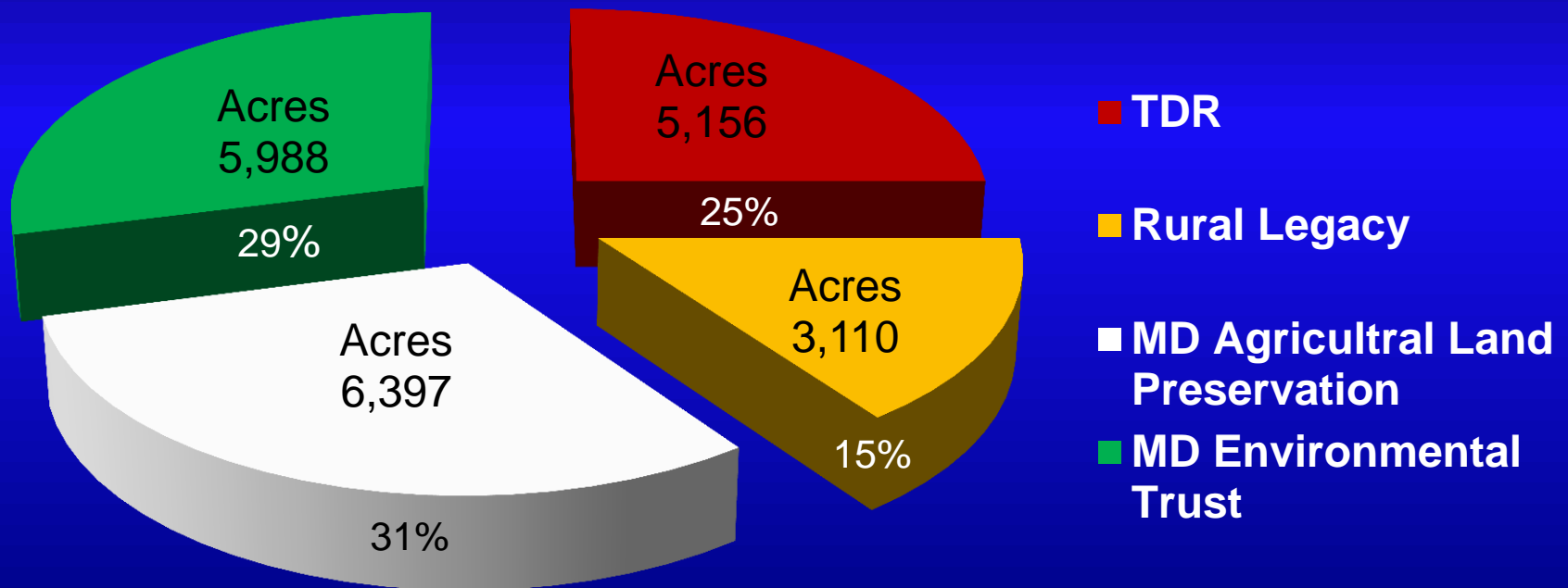


TDR Sale Values

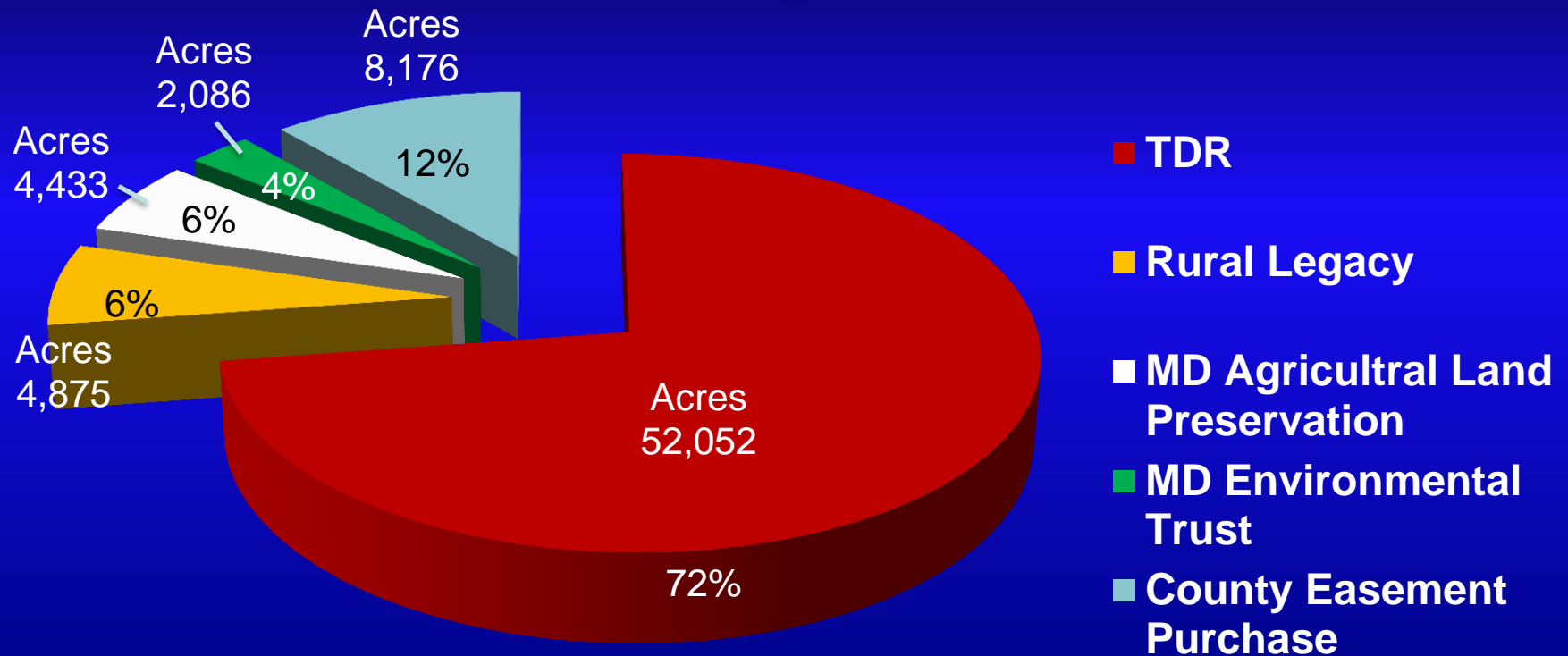


Charles County

Land Preserved Among Four Major Programs



Montgomery County Land Preserved Among Five Major Programs



Current Activity

- 2012 Comprehensive Plan Update, – Still in process
- Feedback from the community on various TDR issues
- Often calling for enhancement of the TDR program in the wake of other rural zoning issues

Current Activity (Cont.)

Findings: Dr. Tom Daniels

- A stronger agricultural economy would make TDR program more viable
- Forestlands should be a focus for TDRs
- If rural rezoning occurs, allocate TDRs at 2 per 3 acres
- Competition exists between development and resource lands due to rural zoning

Dr. Daniels Recommended:

- Possible use of commercial TDRs
- Make TDRs permanent (no buying back of TDRs)
- County Purchase of Development Rights (PDR) funding source is needed

County Purchase of Development Rights (PDR) Program

- Commissioners allocated \$100,000 in the FY2013 and 2014 CIP Budgets to create a PDR Program
- Staff is currently drafting a Bill that would create a PDR option
- Proposed to be an amendment to Chapter 215 of the County Code;
- Modeled after Calvert County's PDR Program;

County Purchase of Development Rights (PDR) Program

- Has the potential to offer some stability to the TDR market
- Can work to influence the value of TDRs
- \$100,000 budget could purchase and retire approximately 20 TDRs per year
- Projected FY2015 budget is \$500,000

County Commissioners Meeting

September 10, 2013

Presented by:

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Mission Statement

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient, and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning, and have an appropriate managerial organization tempered by fiscal responsibility.

Vision Statement

Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount, where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.

The End

Commissioner Meeting 9-10-13